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Attorney Docket no: PHO-104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:)
)
Wachter et al.)
)
Serial No.: 09/096,832)
)
Filed: June 12, 1998)
)
For: Improved Methods And Apparatus)
For Multi-Photon Photo-Activation)
Of Therapeutic Agents)
)
Examiner: Thomas C. Barrett)
)
Art Unit: 3738)

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Shannon Wallace
Date: June 15 2005

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97, as revised on February 4, 1992, 1135 OG 23-24, Applicant hereby call the Examiner's attention to documents listed on the attached form, which documents may be material to the examination of this application. A copy of each of the documents is enclosed herewith for the Examiner's consideration.

No inference should be drawn that any apparatus disclosed is equivalent to the subject invention.

The citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a

particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

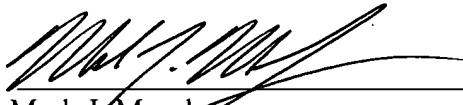
Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

Each of these documents was cited in divisional application no. 09/871,099 in a Final Rejection dated May 23, 2005 which is in the last three months.

If any fee should be due for this IDS, please charge our Deposit Account No. 50/1039.

Respectfully submitted,

Date: *June 15, 2005*



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